

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Atty. Dkt.: 117-489
 Date: January 30, 2004

Sir:

Attached for filing is the patent application of:

Inventor: COFFIN

Entitled: HERPES VIRUSES FOR IMMUNE MODULATION

and including attachments as noted below:

☐ Newly executed Declaration, ☒ Copy of Declaration from prior application, ☒ Abstract
 29 pages of specification and claims (including 16 numbered claims), and
 5 sheets of accompanying drawing/s.

☐ Record the attached assignment to _____ and return to the undersigned.

☒ Priority is hereby claimed under 35 U.S.C. § 119 based on the following foreign applications:

Application Number	Country	Day/Month/Year Filed
0009079.5	United Kingdom	12 April 2000
9816781.0	United Kingdom	31 July 1998

, respectively, the entire content of which is hereby incorporated by reference in this application.

☐ Certified copy(ies) of foreign application(s) is/are attached.

☒ Certified copy(ies) filed in prior Appln. No. PCT/GB99/02529, filed 2 August 1999.

☐ This application claims the benefit of Provisional Application No. _____, filed _____, the entire content of which is hereby incorporated by reference in this application.

☒ This application is a ☒ continuation/☐ division/☐ continuation-in-part of Application No. 09/833,073, filed April 12, 2001, allowed on October 29, 2003, which is a continuation-in-part of Application No. 09/744,942, now U.S. Patent No. 6,641,817, which is a national-phase of PCT/GB99/02529 the entire contents of which are incorporated herein by reference.

☐ Petition filed in prior application to extend its life to insure co-pendency.

☒ The prior application is assigned to BIOVEX LIMITED, London, United Kingdom.

☒ It is hereby requested that the Examiner consider the art cited in the parent application by applicant and/or the Examiner for the reasons stated therein. A listing of that art is attached.

☒ Applicant claims "small entity" status. ☐ "Small entity" statement attached.

☒ Please enter the attached preliminary amendment **prior** to calculation of filing fee:

☐ Also attached: ☒ Information Disclosure Statement; ☐ Non-Publication Request; ☐ Nucleotide and/or Amino Acid Sequence Submission; ☐ Statement deleting Inventor(s) named in prior application; ☐ Other:

FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY HEREWITH CANCELED

Basic Filing Fee		\$	770.00
Total effective claims	16 - 20 (at least 20) = 0	x \$ 18.00	\$ 0.00
Independent claims	1 - 3 (at least 3) = 0	x \$ 86.00	\$ 0.00
If any proper multiple dependent claims now added for first time, add \$290.00 (ignore improper)			\$ 0.00
		SUBTOTAL	\$ 770.00
If "small entity," then enter half (1/2) of subtotal and subtract		-\$	(385.00)
		SECOND SUBTOTAL	\$ 385.00
Assignment Recording Fee (\$40.00)			\$
		TOTAL FEE ENCLOSED	\$ 385.00

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension.

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**.

A duplicate copy of this sheet is attached.

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NIXON & VANDERHYTE P.C.

By Atty: Gary R. Tanigawa, Reg. No. 43,180

Signature: 

17302 U.S. PTO
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